

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**West Bay Exploration Company
13685 S. West Bay Shore Drive, Suite 200
Traverse City, Michigan 49684**

ATTENTION:

**Tim Baker
V.P. of Operations/Engineering**

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring West Bay Exploration Company (West Bay or you) to submit certain information about its facilities in Michigan. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us within 30 calendar days after you receive this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

West Bay owns and operates emission sources at its Michigan oil and gas production facilities. We are requesting this information to determine whether your emission sources are complying with applicable provisions of the Michigan State Implementation Plan, New Source Performance Standards, and National Emission Standards for Hazardous Air Pollutants under the Clean Air Act.

West Bay must send all required information to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

West Bay must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emission data, standards, and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emission data."

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. §§ 3501 - 3520, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject West Bay to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Natalie Topinka at 312-886-3853 or topinka.natalie@epa.gov.

Date

7/18/15


George T. Czerniak
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should

allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 – 7671q.

1. The terms “document” and “documents” shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The terms “relate to” or “pertain to” (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.
3. The term “liquid” or “liquids” shall mean (regardless of API gravity) oil, condensate, natural gas liquids, brine, and water that are produced as part of the well production stream and remain liquid at standard atmospheric and ambient temperature conditions.

4. The term "liquid storage tank" shall mean an atmospheric storage tank(s) that stores liquids as defined above.
5. The term "control device" or its plural shall mean the air pollution control equipment used to achieve volatile organic compound (VOC) emission reductions (e.g., flare, enclosed flare, combustor, combustion device, vapor recovery unit, etc.).
6. The term "flash emissions" shall mean entrained natural gas vapors or other emissions that are released from hydrocarbon liquids when exposed to pressure drops, such as when liquids are transferred from production vessels to other vessels or to atmospheric liquid storage tanks.
7. The term "site" or its plural shall mean the property, operations, facilities, and equipment, including liquid storage tanks and/or tank batteries, presently owned and/or operated by West Bay and identified in Question A of Appendix B of this request.
8. The term "tank vapor capture system" or its plural shall include all vent lines, connections, fittings, valves, relief valves, thief hatches or any other appurtenance employed to contain and collect liquid storage tank vapors and transport or convey them to the emission control device.
9. The term "working and breathing emissions" shall mean those emissions that can occur as vapors are displaced from the liquid storage tank headspace when the tank is filled (working) or when there are temperature or pressure fluctuations in the tank that volatilize lighter ends (breathing).
10. The terms "you" and/or "your" shall mean West Bay, and all its agents, employees, representatives, investigators, accountants, auditors, attorneys, experts, consultants, and contractors. These terms shall also mean any others who are not listed above and are in possession, custody, or control (actual or constructive) of information relevant to this request or information that is otherwise available to West Bay, or who may have obtained information for or on behalf of West Bay.
11. The term "oil and natural gas production facility" shall mean, for purposes of this request, any processing site engaged in the separation of oil and/or natural gas liquids from field gas, fractionation of mixed natural gas liquids to natural gas products, or both.
12. The term "date of first production" shall mean, for purposes of this request, the beginning of initial flow following the end of flowback when there is continuous recovery of salable quality gas and separation and recovery of any crude oil, condensate or produced water, e.g., well products continuously flow to the flow

line or to a storage vessel for collection. For the purposes of this request, a well completion vessel that receives recovered liquids from a well after the date of first production for a period which exceeds 60 days is considered a storage vessel.

Appendix B

Information You Are Required to Submit to EPA

West Bay must submit the following information pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a), within 30 days of receipt of this request.

- A. Provide a list of all of West Bay's oil and natural gas production facilities located in Michigan. The list shall include the facility name (with exact street address or GPS coordinates), and the list shall also identify (1) all wells supplying the facility, (2) well name(s), (3) well location(s) (GPS coordinates), and (4) the date of first production for each identified well.**
- B. For the Napoleon 32, Hilden-Rovsek, Hoffman, Kilbourn, Lantis 30, Norvell 9, Norvell 22, and Norvell 27 facilities, provide the following information:**
 1. For each well supplying the facilities listed in Part B above, identify whether each well is tied into a gas gathering system and the date that the well was tied into the gas gathering system, as applicable.
 2. Provide a detailed discussion of where and how the liquids and gas are separated from the full well production stream and how the liquids are handled, as well as their destination after they are separated. Your response should include, but not be limited to, whether the full production stream is separated at the well site or any other location, and include the name, address and contact information of the location(s) where the liquids are separated and stored.
 3. Provide copies of the following documents and writings related to the facility:
 - a. All federal and/or state permits, general permits, registrations, notifications, authorizations, and/or determinations relating to federal and/or state permitting applicability pursuant to the Clean Air Act and its implementing regulations;
 - b. All permit applications, supporting materials, and correspondence with any federal and/or state permitting authority regarding the approval or disapproval of such applications, registrations, notifications, authorizations, determinations, or permits pursuant to the Clean Air Act and its implementing regulations; and
 - c. All information, analyses, calculations, and correspondence utilized in concluding that a permit, registration, notification, authorization, and/or determination was or was not required under the Clean Air Act.
 4. Provide a list of all liquid storage tanks at each facility, including, for each tank the:
 - a. ID number or other unique identifier;
 - b. Position of the tank in the tank battery on a facility diagram, schematic, or map;
 - c. Date of installation;
 - d. Tank capacity; and

- e. Type of liquid stored (*e.g.*, oil, natural gas liquids, produced water, etc.).
5. Provide monthly throughput data for all actual liquids throughput (in barrels) from January 1, 2010 (or from the first date of operation if the site was not yet operational on January 1, 2010) through the date of this request for each liquid storage tank at the site that did or does receive and store liquids. If throughputs for each individual tank are not available, provide the throughput of each type of liquid for the collective tank battery. Specify if this information is per-tank or collective throughput.
 6. Provide an engineering process flow diagram(s) (PFD) of the facility. The PFD(s) shall include any liquid storage tank vapor capture system(s) and emission control device(s) and the following:
 - a. The location of each pressure relief valve and each thief hatch installed on each liquid storage tank and connecting vent system(s).
 - b. Pressure relief settings (psi) on the thief hatch and pressure relief valve on any liquid storage tank(s) or tank vapor capture system at the time of construction. Note any changes in pressure relief settings that may have occurred since construction, and date when the settings changed.
 - c. Thief hatch gasket/seal information, including the type of gasket/seal used (*e.g.*, rubber, Viton).
 - d. Dates of operation of each liquid storage tank vapor capture system, including periods of downtime and a reason for each period of downtime.
 7. Identify the type of control device used (*e.g.*, open flare, enclosed combustion device, vapor recovery unit, etc.). Include dates of operation of each control device, including periods of downtime and a reason for each period of downtime (if not already provided in response to Question 6d): If a combustor is used, provide the following:
 - a. The combustor manufacturer specifications showing the maximum flow rate (scf/hr) of tank vapors under which a control efficiency of at least 95% for VOC can be achieved.
 - b. The combustor manufacturer recommended maintenance and service requirements.
 - c. A narrative description of the servicing West Bay performs on the combustor(s) and the frequency of such servicing.
 8. Identify the type, make, model, serial number, rated control efficiency, rated vent gas throughput capacity, date of installation, and date operation commenced for each VOC control device and tank vapor capture system for the liquid storage tank(s) at the facility. Identify the process units or tanks that direct gas to the control device, peak flow rates of both flash gases and total gases to each control device.
 9. For each tank vapor capture system, state whether or not West Bay conducted, prior to or since construction of the tank vapor capture system and control device, a design analysis of the tank vapor capture system and control device to determine whether the

vapor capture system and control device were adequately designed to handle the peak flow of vapors associated with the dumping of liquids to the storage tanks. If a design analysis has been conducted, please provide the date of that analysis and supply all documents supporting the design analysis of each tank vapor capture system and control device.

10. Provide a list of all reciprocating and/or centrifugal compressors, glycol dehydrators, pneumatic controllers, and sweetening units at the facility, and the throughput capacity and date of installation of each.
11. Provide the facility's current maximum gas processing capacity (in standard cubic feet per day).
12. Provide copies of all documents and writings that refer, pertain, or relate to:
 - a. Estimates or calculations of VOC emissions at the facility, including, but not limited to, estimates generated by process simulator software and direct measurements;
 - b. The facility's potential to emit (PTE) for VOCs; and
 - c. The API Gravity and Reid Vapor Pressure (RVP) (psia) of the hydrocarbon liquids.
13. Provide copies of all documents and writings used in calculating or determining VOC emissions from the facility, that reference an emission factor for VOCs from liquid storage tanks (in any unit of measure, including, but not limited to, pounds of VOCs per barrel of liquid produced).
14. Provide the potential to emit working, breathing, and flash VOC emissions (in tons per year) from each of the facility's current liquid storage tanks and from each interconnected set of tanks (i.e., if storage tanks are part of an interconnected set of tanks, provide each individual tank's potential to emit for and the interconnected set of tanks' potential to emit) using API E&P TANKS, Version 2.0 or later. The software inputs shall be based on analyses of representative pressurized liquid and gas samples from the pressurized vessel immediately upstream of the liquid storage tanks. Software inputs will be deemed non-representative if they are: obtained from the Geographical Database of sampled sites; liquid and gas samples collected from process vessels other than the pressurized vessel immediately prior to the liquid storage tanks; or are liquid and gas samples gathered more than 12 months prior to the date of this request. Provide copies of the input data, all documents and writings relied upon for the input data, and the generated model output data (i.e., include a complete printout of the report and not just the results page). Describe whether the potential to emit calculation reflects any State or Federally enforceable emissions controls.
 - a. Provide a hydrocarbon liquid analysis sampling plan to ensure representative pressurized liquid and gas sampling and analyses were conducted. Follow the

sampling protocol developed by the California Air Resources Board (CARB). The sampling protocol may be found at the following web address:

http://www.arb.ca.gov/cc/oil-gas/flash_protocol_dec29.pdf

If such samples and analyses have been taken and conducted within the past 12 months, you may provide that data in lieu of analyzing new samples. Include a copy of the lab analysis report showing:

- i. Date and time of sample collection.
 - ii. Name of tank battery location.
 - iii. Description of where, within the tank battery location process, the sample was collected.
 - iv. Operating temperature (°F) and pressure (psi) of the vessel at the time the sample was collected.
 - v. The pressure (psi) of the sample at the time it was received by the laboratory.
15. For each glycol dehydrator, provide a copy of all emissions estimates and potential to emit calculations determined using GRI-GLYCalc or another method from January 1, 2010, to the date of this request. Provide copies of the input data, all documents and writings relied upon for the input data, and the generated model output data (i.e., include the complete report and not just the results page).
16. All documents and writings used to determine if the facility is or is not a major source of hazardous air pollutants (HAP), and a calculation of each facility's potential to emit any single HAP. Clearly explain the estimation methodology and sources of emission factors or other assumptions used.
17. Any notifications or initial annual reports submitted pursuant to 40 C.F.R § 60.5420.
18. All records of inspections conducted pursuant to 40 C.F.R §§ 60.5411, 60.5416, if not already provided to EPA.
19. Copies of all EPA Method 9 or Method 22 visible emissions readings taken at any facility flare since installation.
20. For each flare or combustor used as a control device, state the methodology for determining that the pilot flame on the control device is lit. For all monitoring devices such as thermocouples, state the date of installation.
21. Copies of all stack tests, emissions tests, or engineering tests for any air pollutant, including but not limited to VOC, HAP, particulate matter, nitrogen dioxide, and carbon monoxide.

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B), and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides, in part, that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, *e.g.*, until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Request to Provide Information Pursuant to the
Clean Air Act by Certified Mail, Return Receipt Requested, to:

Tim Baker
V.P. of Operations/Engineering
West Bay Exploration Company
13685 S. West Bay Shore Drive, Suite 200
Traverse City, Michigan 49684

I also certify that I sent a copy of the Request to Provide Information Pursuant to the
Clean Air Act by First-Class Mail to:

Diane Kavanaugh-Vetort
MDEQ
State Office Building, 4th Floor
301 E Louis B Glick Highway
Jackson, Michigan 49201-1556

On the 16th day of February 2015.

Loretta Shaffer
Loretta Shaffer, Program Technician
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7011 1150 0000 2640 6110